ATTORNEY DOCKET NO.: GENE1120-1

UNDER 37 C.F.R. § 1.116 **EXPEDITED PROCEDURE - GROUP ART UNIT NO.: 1636** 

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Nolan and Filshie

Art Unit:

1636

Serial No.:

09/342,024

Examiner:

G. Leffers, Jr.

Filed:

June 28, 1999

Title:

TECH CENTER 1600200 HIGH EFFICIENCY TRANSFECTION BASED ON LOW ELECTRIC FIELD

STRENGTH, LONG PULSE LENGTH

ATTN: BOX AF

Commissioner for Patents Washington, D.C. 20231

## TRANSMITTAL SHEET

Transmitted herewith for the above-identified application please find:

- A copy of a Communication from a Foreign Patent office in a corresponding 1. Foreign application being dated February 18, 2003 (3 pages);
- Supplemental Information Disclosure Statement (2 pages); 2.
- 3. Form PTO-1449 (1 page):
- 4. Two (2) Foreign Patents;
- 5. One (1) other Document;
- 6. Return Receipt Postcard.

### **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, March 13, 2003, in an envelope addressed to: ATTN: BOX AF, Commissioner for Patents, Washington, D.C. 20231.

Cecilia Tobin

(Name of Person Mailing Paper)

GT\6338903.1 104648-159345

**PATENT** 

ATTORNEY DOCKET NO.: GENE1120-1

Applicants: Nolan and Filshie

Serial No.:

09/342,024

Filed: Page 2 June 28, 1999

No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement as each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated February 18, 2003, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1355.

Respectfully submitted,

Date: March 13, 2003

June M. Learn, J.D.

Registration No.: 31,238 Telephone: (858) 677-1416 Facsimile: (858) 677-1465

ine M. Learne

**USPTO CUSTOMER NUMBER 28213** 

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133



**PATENT** ATTORNEY DOCKET NO.: GENE1120-1

UNDER 37 C.F.R. § 1.116

A 3

**EXPEDITED PROCEDURE - GROUP ART UNIT NO.: 163** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Nolan and Filshie

Art Unit:

1636

Serial No.:

09/342,024

Examiner:

G. Leffers, Jr.

Filed:

June 28, 1999

Title:

C FIELL CEIVED I HIGH EFFICIENCY TRANSFECTION BASED ON LOW ELECTRIC FIELD

STRENGTH, LONG PULSE LENGTH

ATTN: BOX AF

Commissioner for Patents Washington, D.C. 20231

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the above-identified application. Each item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information Disclosure Statement. For the convenience of the Examiner, these references are listed on the attached Form PTO-1449 and copies are enclosed herewith.

It is respectfully requested that these references be considered in the examination of this application and that its consideration be made of written record in the application file.

**CERTIFICATION UNDER 37 CFR §1.8** 

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, March 13, 2003, in an envelope addressed to: Attn: Box AF, Commissioner for Patents, Washington, D.C. 20231

Cecilia Tobin

(Name of Person Mailing Paper)

(Signature)

March 13, 2003

(Date)

PATENT

ATTORNEY DOCKET NO.: GENE1120-1

Applicants:

Nolan and Filshie

Serial No.:

09/342,024

Filed: Page 2

June 28, 1999

No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement as each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated February 18, 2003, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1355.

Respectfully submitted,

Date: March 13, 2003

June M. Learn, J.D.

Registration No.: 31,238 Telephone: (858) 677-1416 Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213** 

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Docket No.: GENE1120-1	<b>Application No.:</b> 09/342,024	
	Applicants: Nolan and Filshie		
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date: June 28, 1999	Group Art Unit: 1636	

### **U.S. PATENT DOCUMENTS**

EXAM. INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	NONE					

### FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	WO 99/01158	01/14/99	PCT			
	WO 97/07826	03/05/97	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

Aihara and Mlyazaki, "Gene transfer into muscle by electroporation in vivo," <i>Nature Biotechnology</i> , <b>16:</b> 867-870 (1998)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.